

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

| | | |
|---------------------------------------|---|-------------------|
| JEFFRY D. JOHNSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CIV-12-78-FHS-SPS |
| |) | |
| CAROLYN W. COLVIN, Acting |) | |
| Commissioner of the Social |) | |
| Security Administration, ¹ |) | |
| |) | |
| Defendant. |) | |

ORDER

On September 13, 2013, United States Magistrate Judge for this District filed Findings and Recommendations in this case. Plaintiff filed an objection arguing the Findings and Recommendations does not adequately consider Johnson's argument that the ALJ did not properly address Johnson's obesity. Second, the Findings and Recommendations does not adequately consider Johnson's argument that the ALJ did not perform a proper residual functional capacity analysis. Finally, the Report does not adequately consider Johnson's argument that the ALJ erred in his credibility analysis. The court has reviewed the objection filed by plaintiff and finds that it should be overruled.

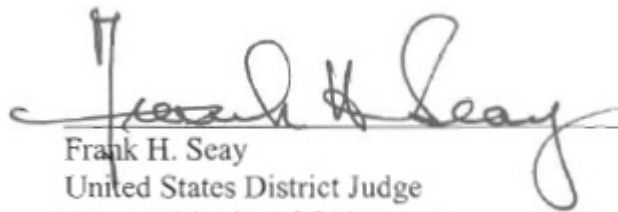
The Findings and Recommendations found the decision by the defendant should be affirmed. This Court finds the Findings of the Magistrate Judge applied the proper standards and documents numerous references to the record which support the

¹On February 14, 2013, Carolyn W. Colvin became the Acting Commissioner of Social Security. In accordance with Fed. R. Civ. P. 25(d), Ms. Colvin is substituted for Michael J. Astrue as the Defendant in this action.

recommendation of the Magistrate Judge that the Commissioner's decision be **sustained**.

Upon consideration of the entire record and the issues herein, this Court finds and orders that the Findings and Recommendations of the United States Magistrate Judge be **SUSTAINED** and adopted by this Court as this Court's Findings and Order.

IT IS SO ORDERED this 30th day of September, 2013.



Frank H. Seay
United States District Judge
Eastern District of Oklahoma